

PREVAILED

Roll Call No. _____

FAILED

Ayes _____

WITHDRAWN

Noes _____

RULED OUT OF ORDER

HOUSE MOTION _____

MR. SPEAKER:

I move that House Bill 1024 be amended to read as follows:

- 1 Page 5, delete lines 36 through 42, begin a new paragraph and
2 insert:
3 "SECTION 8. IC 3-11-13-22, AS AMENDED BY P.L.176-1999,
4 SECTION 81, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
5 NOVEMBER 1, 1999 (RETROACTIVE)]: Sec. 22. (a) At least
6 fourteen (14) days before election day, the county election board of
7 each county planning to use automatic tabulating machines at the next
8 election shall have the automatic tabulating machines tested to
9 ascertain that the machines will correctly count the votes cast in all
10 precincts for all candidates and on all public questions. Not later than
11 seven (7) days after conducting the test under this subsection, the
12 county election board shall certify to the election division that the
13 pretest test has been conducted in conformity with this subsection.
14 (b) ~~At least seven (7) days before election day, a county election~~
15 ~~board required to conduct a pretest under subsection (a) shall conduct~~
16 ~~a public test under this subsection. The public test conducted under this~~
17 ~~subsection consists of a sample of precincts designated by the county~~
18 ~~election board. However, the sample must include at least one (1)~~
19 ~~precinct in each election district in which each candidate appears on~~
20 ~~the ballot.~~ Public notice of the time and place shall be given at least
21 forty-eight (48) hours before the test. The notice shall be published
22 once in accordance with IC 5-3-1-4.
23 SECTION 9. IC 3-11-13-23, AS AMENDED BY P.L.176-1999,
24 SECTION 82, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE

NOVEMBER 1, 1999 (RETROACTIVE)]: Sec. 23. (a) The two (2) appointed members of the county election board shall observe the ~~tests~~ **test** required by section 22 of this chapter and certify the ~~tests test~~ as meeting the requirements of section 22 of this chapter.

(b) A copy of the certification of the test conducted under section 22(b) of this chapter shall be transmitted to the election division immediately, and another copy shall be filed with the election returns.

(c) The ~~tests test~~ must be open to representatives of political parties, candidates, the media, and the public.

SECTION 10. IC 3-11-13-24 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE NOVEMBER 1, 1999 (RETROACTIVE)]: Sec. 24. The ~~tests test~~ required by section 22 of this chapter must:

(1) include the visual inspection of the voting devices for the correct alignment of the card stock and the templates for proper punching;

(2) be conducted by processing a preaudited group of ballot cards punched or marked so as to record a predetermined number of valid votes for each candidate and on each public question; and

(3) include for each office one (1) or more ballot cards that have votes in excess of the number allowed by law in order to test the ability of the automatic tabulating machines to reject the votes.

SECTION 11. IC 3-11-13-25 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE NOVEMBER 1, 1999 (RETROACTIVE)]: Sec. 25. If an error is detected during the ~~tests test~~ required by section 22 of this chapter, the cause of the error shall be determined and corrected, and an errorless count shall be made before the automatic tabulating machines are approved.

SECTION 12. IC 3-11-13-26, AS AMENDED BY P.L.176-1999, SECTION 83, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE NOVEMBER 1, 1999 (RETROACTIVE)]: Sec. 26. (a) ~~The public test required by section 22(b) of this chapter shall be repeated and certified again in the same manner immediately before the start of the official count of the ballot cards.~~

(b) ~~The certification shall be filed with the election returns but is not required to be filed with the election division.~~

(c) ~~After the completion of the count, the county election board shall conduct a posttest using the same sample included in the public test conducted under section 22(b) of this chapter. The county election board shall certify the results of the posttest and file the certification with the election returns. A copy of the posttest certification is not required to be filed with the election division.~~

(d) ~~After completion of the posttest, count, the tested~~ tabulating machines shall be sealed in the same manner as voting machines under IC 3-12-2.5-6. The ballot cards and all other election materials shall be sealed, retained, and disposed of as provided for paper ballots.".

Page 6, delete lines 1 through 13.

- 1 Renumber all SECTIONS consecutively.
 (Reference is to HB 1024 as printed January 20, 2000.)

Representative Richardson